

USSN: 10/053,690
Atty. Docket No.: 216999US0X RE (13193 C)
Office Action Mailed: November 19, 2008
Amendment dated: March 19, 2009

REMARKS

Claims 1-31 remain pending in the present application.

Objection to the Claims

At page 2 of the outstanding Office Action, the Examiner has objected to the claims, as being unclear which version of the claims should be printed. Applicants submit herewith a final, previously presented version of all claims for the Examiner's convenience.

Rejection under 35 U.S.C. §251

Claims 1-31 stand rejected under 35 U.S.C. §251, as based upon a defective reissue Declaration. Applicants traverse this basis for rejection and respectfully request reconsideration and withdrawal thereof, in view of the submission attached hereto.

Attached to the present response, please find a substitute reissue Declaration signed by each inventor subsequent to the date of the last amendment, August 3, 2004, which Applicants believe addresses the rejection.

Likewise, Applicants attach two (2) copies of the Reissue Application: Consent of Assignee; Statement of Non-Assignment, one from each co-owner of the present application, which should satisfy the assignees' obligations under 37 C.F.R. 3.73(b).

Applicants believe that all the requirements of 37 C.F.R 1.172 are hereby satisfied.

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Applicants earnestly solicit a notice of allowance as to the present claims.

Respectfully submitted,

Date: 3/19/09



Peter W. Roberts (Reg.31702)
Attorney for Applicants

Roberts, Mlotkowski Safran and Cole, P.C.
7918 Jones Branch Drive, Suite 500,
McLean, VA 22102, USA
Telephone: 1-703-584-3270
Telefax: 1-703-848-2981

Attachments: Petition for Extension of Time
Substitute Reissue Declaration
Consent of Assignee (2)